



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
JUNE 27, 2016**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:55 p.m. by President Brown Clarke

PRESENT: Council Members Brown Clarke, Dunbar, Spitzley, Washington, Wood, Yorko

ABSENT: Council Members Hussain, Houghton

Council Member Brown Clarke asked people to remember Reverend William Fineout; James Riley, owner of Riley Funeral Home; and Joan Bauer's husband, Doug Langham, who recently passed away, during the moment of Meditation. The Council observed a moment of Meditation followed by the Pledge of Allegiance led by President Brown Clarke

APPROVAL OF PRINTED COUNCIL PROCEEDINGS

By Vice President Yorko

To approve the printed Council Proceedings of May 12, May 23, and June 13, 2016

Motion Carried

CONSIDERATION OF LATE ITEMS

By Vice President Yorko

To suspend City Council Rule #9 to allow for Consideration of Late Items

Motion Carried

The following item was added to the agenda:

1. Confirmation of Appointment of Gail Fournier as an At-Large Member to the Human Relations & Community Services Board for a term to expire June 30, 2019.

COMMENTS BY COUNCIL MEMBERS AND THE CITY CLERK

Council Member Wood spoke about Rejuvenating South Lansing and shared details of their upcoming meeting.

City Clerk Swope shared details on the status of absentee ballots and approaching deadlines.

Council Member Dunbar shared outcomes of South Lansing Farmers Market being a success and encouraged the public to visit.

Council President Brown Clarke congratulated City Clerk Swope for his recertification as Certified Michigan Municipal Clerk.

COMMUNITY EVENT ANNOUNCEMENTS

Sharon Burton shared facts about Bloom Coffee Roasters and Old Town history and invited the public to Bloom Coffee Roasters on July 5th for a cup of coffee.

SPEAKER REGISTRATION FOR PUBLIC COMMENT ON LEGISLATIVE MATTERS

City Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.

MAYOR'S COMMENTS

Executive Assistant to Mayor Bernero, Randy Hannan, spoke about the free concert in the park at the Turner Dodge House, Community Policing Picnic hosted by the Lansing Police Department, the City's 4th of July Parade downtown, Lansing Concert Band in Riverfront Park, and the Fireworks Display at the Park.

Randy Hannan also spoke about the ban of open burning due to extreme dry weather, Common Ground festivities, and the Color Run downtown and encouraged Council to approve the appointment of the City Attorney, James Smiertka, and the FY Budget Amendment.

PUBLIC COMMENT ON LEGISLATIVE MATTERS

Legislative Matters included the following public hearings:

1. In consideration of Noise Waiver; Consumers Energy for installation of natural gas pipeline along N. Martin Luther King Jr. Blvd.

Council Member Wood gave an overview of the public hearing.

- Public Comment on Legislative Matters:

Elaine Wolmbodt spoke in support of the appointment of James Smiertka as City Attorney

LEGISLATIVE MATTERS

REFERRAL OF PUBLIC HEARINGS

1. In consideration of Noise Waiver; Consumers Energy for installation of natural gas pipeline along N. Martin Luther King Jr. Blvd.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

CONSENT AGENDA

By Vice President Yorko

To approve items 2b, 2c, 2d, 2e, 2f, and 4a on the Consent Agenda

Motion Carried

RESOLUTION#2016-121

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Men Making a Difference Inc. has requested \$500.00 to defray costs associated with facility rental, Showmobile rental in addition to miscellaneous rental fees as well as set up costs for the 2016 Family Community Cookout Festival to be held on July 16, 2016; and

WHEREAS, the maximum total amount of the Community Funding Account to be awarded to an organization in one fiscal year is \$500.00; and

WHEREAS, the Committee on General Services met on June 15, 2016 and approved an increase to \$675.00 to be allocated from Fiscal Year 2016.

BE IT RESOLVED that the Lansing City Council, hereby approves an allocation from the Community Funding Account to Men Making a Difference Inc. who have requested \$675.00 to defray costs associated with facility rental, Showmobile rental in addition to miscellaneous rental fees as well as set up costs for the 2016 Family Community Cookout Festival to be held on July 16, 2016.

BE IT FURTHER RESOLVED that the Mayor and the Finance Department shall process this request by charging \$675.00 to the Fiscal Year 2016 City Council Community Promotion Account – 101.112101.741289.0.

BE IT RESOLVED that Men Making a Difference shall submit a written analysis of the event, including information regarding the number of attendees, a detailed account as to contributors, funds received, expended and residual funds to the Lansing City Council within 60 days after the event.

Adopted as part of the Consent Agenda

RESOLUTION#2016-122

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, NorthWest Initiative has requested \$500.00 to defray costs associated with the Music, Art, Drama, and Dance (M.A.D.D.) Camp to be held July 11, 2016 – July 14, 2016; and

WHEREAS, the maximum total amount of the Community Funding Account to be awarded to an organization in one fiscal year is \$500.00; and

WHEREAS, the Committee on General Services met on June 15, 2016 and approved an increase to \$675.00, to be allocated from Fiscal Year 2016.

BE IT RESOLVED that the Lansing City Council, hereby approves an allocation from the Community Funding Account to the NorthWest Initiative in the amount of \$675.00 to defray costs associated with the Music, Art, Drama, and Dance (M.A.D.D.) Camp to be held July 11, 2016 – July 14, 2016.

NOW BE IT FURTHER RESOLVED that the Mayor and the Finance Department shall process this request by charging \$675.00 to the Fiscal Year 2016 City Council Community Promotion Account – 101.112101.741289.0.

BE IT RESOLVED that the NorthWest Initiative shall submit a written analysis of the event, including information regarding the number of attendees, a detailed account as to contributors, funds received, expended and residual funds to the Lansing City Council within 60 days after the event.

Adopted as part of the Consent Agenda

Transfer Ownership of a Escrowed 2014 Class C & SDM Licensed business with specific purpose permit (food); Pizza Hut of America

Adopted as part of the Consent Agenda

RESOLUTION#2016-123

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Licensing and Enforcement Division of the Michigan Liquor Control Commission received a request from Pizza Hut of America, LLC to request transfer of ownership escrowed 2014 Class C & SOM Licensed business with specific purpose permit (food); and

WHEREAS, the Committee on General Services met on June 15, 2016 to review the request with affirmative action taken.

THEREFORE BE IT RESOLVED, the Lansing City Council, hereby, approves the request from Pizza Hut of America, LLC to request transfer of ownership escrowed 2014 Class C & SOM Licensed business with specific purpose permit (food).

BE IT FURTHER RESOLVED, the City Clerk is requested to notify the Michigan Liquor Control Commission of the action taken.

Adopted as part of the Consent Agenda

Transfer of Ownership of a 2014 Class C and SDM license; LAF Fine Dining Inc.

Adopted as part of the Consent Agenda

RESOLUTION#2016-124

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Licensing and Enforcement Division of the Michigan Liquor Control Commission received a request from LAF Fine Dining, Inc to Transfer of Ownership of 2014 Class C and SDM license at 320 E. Michigan Avenue; and

WHEREAS, the Committee on General Services met on June 15, 2016 to review the request with affirmative action taken.

THEREFORE, BE IT RESOLVED, the Lansing City Council, hereby, approves the request from LAF Fine Dining, Inc. to Transfer of Ownership of 2014 Class C and SDM license at 320 E. Michigan Avenue.

BE IT FURTHER RESOLVED, the City Clerk is requested to notify the Michigan Liquor Control Commission of the action taken.

Adopted as part of the Consent Agenda

RESOLUTION#2016-125

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Licensing and Enforcement Division of the Michigan Liquor Control Commission received a request from Izabella HMC, LLC to Transfer ownership of 2013 B-Hotel Liquor License; and

WHEREAS, the Committee on General Services met on June 15, 2016 to review the request with affirmative action taken.

THEREFORE BE IT RESOLVED, the Lansing City Council, hereby, approves the request from Izabella HMC, LLC to Transfer ownership of 2013 B-Hotel Liquor License.

BE IT FURTHER RESOLVED, the City Clerk is requested to notify the Michigan Liquor Control Commission of the action taken.

Adopted as part of the Consent Agenda

RESOLUTION#2016-126

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Betty Draher of 1513 Donora Street in Lansing, MI, 48910, as a First Ward member of the Board of Fire Commissioners for a term to expire June 30, 2017.

WHEREAS, the nominee has been vetted and meets the qualifications as required by the City Charter;

WHEREAS, the Committee on Public Safety met on June 27, 2016 and took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Betty Draher of 1513 Donora Street in Lansing, MI, 48910, as a First Ward member of the Board of Fire Commissioners for a term to expire June 30, 2017.

Adopted as part of the Consent Agenda

RESOLUTIONS

RESOLUTION#2016-127

BY THE COMMITTEE ON INTERGOVERNMENTAL RELATIONS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of DeYeya Jones of 1710 Moores River Drive in Lansing, MI, 48910, as a City of Lansing Representative to the Capital Area District Library Board for a term to expire April 15, 2020; and

WHEREAS, the nominee has been vetted and meets the qualifications as required by the City Charter;

WHEREAS, the Committee on Intergovernmental Relations met on June 21, 2016 and took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of DeYeya Jones of 1710 Moores River Drive in Lansing, MI, 48910, as a City of Lansing Representative to the Capital Area District Library Board for a term to expire April 15, 2020.

By Council Member Brown Clarke

Motion Carried

City Clerk Swope administered the Oath of Office to DeYeya Jones.

RESOLUTION#2016-128

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Gail Fournier of 717 E. Willard Avenue in Lansing, MI, 48910, as an At-Large Member to the Human Relations & Community Services Board for a term to expire June 30, 2019; and

WHEREAS, the nominee has been vetted and meets the qualifications as required by the City Charter; and

WHEREAS, the Committee on General Services met on May 18, 2016

and took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Gail Fournier of 717 E. Willard Street in Lansing, MI, 48910, as an At-Large Member to the Human Relations & Community Services Board for a term to expire June 30, 2019.

By Council Member Wood

Motion Carried

City Clerk Swope administered the Oath of Office to Gail Fournier

RESOLUTION#2016-129

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has appointed Mr. James D. Smiertka as City Attorney to succeed Interim City Attorney F. Joseph Abood; and

WHEREAS, Mr. Smiertka previously served with distinction as City Attorney during the administrations of former Lansing mayors David Hollister and Tony Benavides from 1994-2004; and

WHEREAS, subsequent to his work as Lansing's City Attorney, Mr. Smiertka served as a senior policy executive in the Michigan Department of Labor and Economic Growth (DLEG) and as senior vice president and general counsel of the Prima Civitas Foundation (PCF); and

WHEREAS, Mr. Smiertka meets all Charter and ordinance qualifications to hold the office of City Attorney and has been vetted.

THEREFORE BE IT RESOLVED that the Lansing City Council hereby confirms the appointment of James D. Smiertka to an indefinite term as City Attorney, effective 12:01 a.m., July 1, 2016.

By Vice President Yorko

Motion Carried

City Clerk Swope administered the Oath of Office to City Attorney Smiertka.

RESOLUTION#2016-130

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

SLU-1-2016

2101 E. Mt. Hope Avenue (Crego Park)

Wireless Communications Tower in the "A" Residential District

WHEREAS, the applicant, Verizon Wireless, has requested a Special Land Use permit (SLU-1-2016) to construct a wireless communication tower at 2101 E. Mt. Hope Avenue (Crego Park) within the 100 year floodplain of the Red Cedar River, and has provided all information required by Section 1298.07 of the Zoning Ordinance; and

WHEREAS, the property is zoned "A" Residential District where wireless communication towers are permitted subject to obtaining a special land use permit; and

WHEREAS, Section 1288.06 of the Zoning Ordinance requires a Special Land Use permit for new construction in the 100 year floodplain on a parcel of land in excess of ½ acre in size; and

WHEREAS, a review was completed by staff evaluating the character, location and impact this proposal would have on the surrounding area and the impact on the environment, utilities, services and compliance with the Zoning Code and objectives of the Comprehensive Plan; and

WHEREAS, the Planning Board held a public hearing on April 5, 2016, at which time the applicant's representative spoke in favor of the request and no other comments were received; and

WHEREAS, the Planning Board (based upon testimony, evidence and the staff report) at its April 5, 2016 meeting, voted unanimously (5-0) to recommend approval of SLU-1-2016 to permit a wireless communication tower at 2101 E. Mt. Hope Avenue, with certain conditions; and

WHEREAS, the City Council held a public hearing regarding SLU-1-2016 on June 13, 2016; and

WHEREAS, the Committee on Development and Planning has reviewed the report and recommendation of the Planning Board and concurs therewith; and

NOW THEREFORE BE IT RESOLVED that the Lansing City Council hereby approves SLU-1-2016, to permit a wireless communication tower at 2101 E. Mt. Hope Avenue within the 100 year floodplain of the Red Cedar River, as depicted on the plans dated 1/27/16, with the following conditions:

1. The proposed monopole tower shall provide for a co-location of at least 3 antennas, and
2. The tower shall not interfere with telemetry communications of local hospitals and emergency services.
3. A permit from the Michigan Department of Environmental Quality is obtained to construct the tower within the 100 year floodplain of the Red Cedar River.

BE IT FURTHER RESOLVED that this Special Land Use permit shall remain in effect only so long as the petitioner fully complies with this resolution, and if the petitioner fails to comply, the Special Land Use permit may be terminated by City Council Resolution.

BE IT FINALLY RESOLVED that in granting this request with conditions, the City Council has considered the factors listed in Section 1298.07(B)(2), and determines the following:

1. The proposed wireless communication tower is compatible with the essential character of the surrounding area, as designed.
2. The proposed wireless communication tower will not change the essential character of the surrounding area.
3. The proposed wireless communication tower will not interfere with the general enjoyment of adjacent properties.
4. The proposed wireless communication tower will not impact adjacent properties as it will not be detrimental to the use or character of the property under consideration.
5. The proposed wireless communication tower will not impact the health, safety and welfare of persons or property in the surrounding area.
6. The proposed wireless communication tower can be adequately served by essential public facilities and services.
7. The proposed wireless communication tower will not place any demands on public services and facilities in excess of current capacities.
8. The proposed wireless communication tower is consistent with the intent and purposes of the Zoning Code and in conformance with the Master Plan.
9. The proposed wireless communication tower will comply with the requirements of the "A" Residential District.

By Council Member Washington

Motion Carried

RESOLUTION#2016-131

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Act-5-2014, Sale of Grand Woods Park

WHEREAS, on February 21, 1984, the City of Lansing, leased to Charter Township of Delta, the premises known as Grand Woods Park (the "Park"), located in Delta Township, Eaton County, Michigan; and

WHEREAS, the Park has been maintained by Delta Charter Township since 1984, and

WHEREAS, the Park is approximately 139.3 acres in size and is located in Delta Township, Eaton County Michigan; and

WHEREAS, it has been determined that this Park is surplus by the Parks Department; and

WHEREAS, on August 4, 2014 under Resolution 2014-202 the Lansing City Council approved that a proposal to sell the Park be submitted to the electors of the City of Lansing; and

WHEREAS, on November 4, 2014 the electors of the City of Lansing approved the sale of the Park to the Charter Township of Delta; and

WHEREAS, any net proceeds from the sale of the Property will benefit the City of Lansing and be used for improvements in the City of Lansing Parks and Recreation system; and

WHEREAS, the Delta Charter Township Master Plan, Zoning Ordinance and website indicate the intention for the property is to remain as a park; and

WHEREAS, the City of Lansing's lease with the Charter Township of Delta is to expire August 21, 2016; and

WHEREAS, Delta Charter Township, by resolution, authorized the Township Manager, Brian Reed, to execute and deliver an offer to purchase the Park, known as Purchase Agreement, which has been placed on file in the office of the City Clerk for thirty (30) days prior to June 13, 2016, public hearing held on the proposed sale, in accordance with the requirements of the Lansing City Charter and the Lansing Code of Ordinances.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approves the sale of the real property known as Grand Woods Park to the Delta Charter Township, legally described as:

Commencing at a point North 0 degrees 51 minutes East 903.0 feet, from the South quarter post of Section 1, Town 4 North, Range 3 West, Delta Township, Eaton County, Michigan, said point being the Northeast corner of Lot Fifty-five (55) of River Ridge No. 1, running thence along the Northerly line of said River Ridge No. 1, North 60 degrees 51 minutes West 505.0 feet, thence South 87 degrees 44 minutes West 363.83 feet, thence South 77 degrees 49 minutes West 481.6 feet, thence North 82 degrees 24 minutes West 394.67 feet, thence North 86 degrees 13 minutes West 1293.86 feet, thence North 60 degrees 01 minute West 565.02 feet, thence North 47 degrees 57 minutes West 260.75 feet, thence North 74 degrees 22 minutes West 338.15 feet to the West line of the East one-half of the Southeast one-quarter of Section 2, thence North 1 degree 25 minutes West 97.84 feet, thence North 80 degrees 35 minutes East 374.39 feet, thence North 72 degrees 27 minutes East 1000.65 feet, thence North 55 degrees 32 minutes East 343.98 feet, thence South 77 degrees 13 minutes East 717.55 feet, thence North 83 degrees 30 minutes East 571.93 feet, thence South 83 degrees 44 minutes East 322.03 feet, thence South 76 degrees 34 minutes East 362.03 feet, thence South 56 degrees 34 minutes East 504.22 feet to the North-South quarter line, thence South 0 degrees 51 minutes East 986.3 feet to the point of beginning together with the land lying

between the Northerly line of said description and the water's edge of the Grand River; that part of Southeast fractional 1/4 lying Southwest of Grand River, Section 1, T4N, R3W; and Out Lot C of River Ridge #3, according to the recorded plat thereof, Eaton County Records.

BE IT FURTHER RESOLVED that the purchase price shall be Six Hundred Thousand and 00/100 Dollars (\$600,000.00) on the terms and conditions in the Purchase Agreement on file with the City Clerk, including the purchase price shall be paid in five (5) annual installments with the deposit amount of One Thousand and 00/100 Dollars (\$1,000.00) being credited to the first installment for a remaining payment of One Hundred Nineteen Thousand and 00/100 Dollars (\$119,000.00) at the time of signing and the remaining four (4) annual installments each being One Hundred Twenty Thousand and 00/100 Dollars (\$120,000.00) payable on January 1, for the next four (4) years.

BE IT FURTHER RESOLVED that the Mayor, on behalf of the City, per City Council Resolution #569 of 10/6/1999, shall deposit proceeds from sales of designated park land in excess of city costs associated with such sale into the fund account used exclusively for park acquisition and development.

BE IT FINALLY RESOLVED that the Mayor, on behalf of the City of Lansing, is authorized to sign and execute all necessary documents to effectuate the sale, (including the Purchase Agreement, Land Contract, Memorandum of Land Contract, Quit Claim Deed, and Escrow Agreement) subject to their prior approval as to form and content by the City Attorney.

By Council Member Washington

Motion Carried

RESOLUTION#2016-132

BY THE COMMITTEE ON DEVELOPMENT & PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, July 11, 2016 at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing:

Act-7-2012, Sale of property at 629 W. Hillsdale Street, approximately 0.207 acres.

By Council Member Washington

Motion Carried

RESOLUTION#2016-133

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Thomas Collins sought to eliminate a special assessment of \$700.00 for trash and debris removal fees, and all associated penalties and interest, on the property tax bill for 2420 Lyons Avenue (Tax ID #33-01-01-28-286-141); and

WHEREAS, upon filing a claim to the Committee on General Services, the claim in the total amount of \$700.00 was denied on June 15, 2016.

BE IT RESOLVED, that the City Council, hereby, denies the claim of Thomas Collins in the amount of \$700.00 for trash and debris removal fees and all associated penalties and interest on the property tax bill for 2420 Lyons Avenue (Tax ID #33-01-01-28-286-141).

BE IT FURTHER RESOLVED, that the City Attorney shall take the appropriate steps to process this claim.

By Council Member Wood

Motion Carried

RESOLUTION#2016-134

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, a public hearing was held on Monday, June 27, 2016, in consideration of a request by Consumers Energy Company for issuance of a waiver of the noise ordinance from July 1, 2016, to December 1, 2016, to allow Consumers Energy Company and their contractor to work extended hours as needed Monday through Friday from 8:00 PM to 10:00 PM, some Saturdays from 7:00 AM to 6:00 PM, and up to six (6) Sundays from 9:00 AM to 6:00 PM, while installing a natural gas pipeline on N. Martin Luther King Jr Blvd. from Sheridan Road to approximately 800' south of N. Grand River Avenue; and

WHEREAS,

- the City of Lansing Public Service Department is requiring that the pipeline crossing of N. Martin Luther King Jr. Blvd. be completed on a weekend;
- the Michigan Dept. of Transportation would prefer, and still may require, the pipeline crossing at N. Grand River Ave. (BR-96) be performed on the weekend(s);
- the three (3) required boring operations for crossing under N. Grand River Ave. (BR-96), the Jackson & Lansing Railroad, and the CSX Railroad must be completed without stoppage; and
- the required schedule for completion before December 1, 2016, results in a significant amount of work that must be completed in a short time period; and

WHEREAS, the City of Lansing Public Service Department recommends that this waiver of the noise ordinance be granted in order to minimize the amount of time vehicular and pedestrian traffic are impacted by this construction; and

WHEREAS, no substantive written or verbal comments in opposition to this noise waiver were received from any residents within the project area at the public hearing or during the public comment period.

NOW THEREFORE BE IT RESOLVED that City Council grant a waiver of the noise ordinance from July 1, 2016, to December 1, 2016, to permit Consumer Energy Company and their contractor to work some evenings Monday through Friday from 8:00 PM to 10:00 PM, some Saturdays from 7:00 AM to 6:00 PM, and up to six (6) Sundays from 9:00 AM to 6:00 PM, while conducting natural gas pipeline installation on S Martin Luther King Jr Blvd. from Sheridan Road to approximately 800' south of N. Grand River Avenue.

By Council Member Wood

Motion Carried

RESOLUTION#2016-135

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, it is proposed that a claim be resolved by virtue of entering into a settlement agreement with claimant WC2062876-00735, in which, the City of Lansing would agree to pay Plaintiff the sum of Seventeen Thousand, Four Hundred and Eighty Dollars (\$17,480.00) in exchange for a complete redemption and release of the City from any past, present, and future liability regarding any alleged injuries/illnesses whatsoever;

WHEREAS, the proposed settlement is recommended by the Mayor, the Department of Human Resources Director, the City of Lansing's Fund Administrator, and the City Attorney.

BE IT RESOLVED that the Lansing City Council hereby approves the payment of Seventeen Thousand, Four Hundred and Eighty Dollars (\$17,480.00) pursuant to said proposed settlement agreement as a full and final settlement of said action.

BE IT FINALLY RESOLVED that the City Attorney is authorized to prepare and execute the requisite documents to complete settlement of the aforementioned lawsuit.

By Council Member Wood

Motion Carried

RESOLUTION#2016-136

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, it is proposed that a claim be resolved by virtue of entering into a settlement agreement with claimant WC 2062876-00610, in which, the City of Lansing would agree to pay Plaintiff the sum of Thirty-Six Thousand Dollars (\$36,000.00) in exchange for a complete redemption and release of the City from any past, present, and future liability regarding any alleged injuries/illnesses whatsoever;

WHEREAS, the proposed settlement is recommended by the Mayor, the Department of Human Resources Director, the City of Lansing's Fund Administrator, and the City Attorney.

BE IT RESOLVED that the Lansing City Council hereby approves the payment of Thirty-Six Thousand Dollars (\$36,000.00) pursuant to said proposed settlement agreement as a full and final settlement of said action.

BE IT FINALLY RESOLVED that the City Attorney is authorized to prepare and execute the requisite documents to complete settlement of the aforementioned lawsuit.

By Council Member Wood

Motion Carried

RESOLUTION#2016-137

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, it is proposed that a claim be resolved by virtue of entering into a settlement agreement with claimant WC2062876-00077, in which, the City of Lansing would agree to pay Plaintiff the sum of Seventy-Five Thousand Dollars (\$75,000.00) in exchange for a complete redemption and release of the City from any past, present, and future liability regarding any alleged injuries/illnesses whatsoever;

WHEREAS, the proposed settlement is recommended by the Mayor, the Department of Human Resources Director, the City of Lansing's Fund Administrator, and the City Attorney.

BE IT RESOLVED that the Lansing City Council hereby approves the payment of Seventy-Five Thousand Dollars (\$75,000.00) pursuant to said proposed settlement agreement as a full and final settlement of said action.

BE IT FINALLY RESOLVED that the City Attorney is authorized to prepare and execute the requisite documents to complete settlement of the aforementioned lawsuit.

By Council Member Wood

Motion Carried

RESOLUTION#2016-138

BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Office of Emergency Management receives recurring Homeland Security Grant Program Grants (HSGP); and

WHEREAS, the HSGP grant is a pass through grant from the State of Michigan and is awarded to eight Emergency Management Regions within the State of Michigan; and

WHEREAS, the HSGP grant is designed to provide federal funds to the sub grantee, the Lansing Office of Emergency Management, for the purpose of planning, exercising, training and purchasing equipment based on homeland security guidelines; and

WHEREAS, the HSGP awards \$106,399.03 for the duration of twenty (20) months; and

WHEREAS, the State of Michigan award of \$106,399.03 requires no local match or additional funding; and

WHEREAS, the HSGP grant will support Region one with funding for Planning, exercising, training, and equipment; and

WHEREAS, the HSGP grant awarded and additional \$22,788.36 on May 19, 2016 requiring no local match for Urban Search and Rescue equipment.

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council approves acceptance of the additional \$22,788.36 HSGP grant funds resulting in the total amount of \$129,187.39 for the grant period beginning October 1, 2014 and ending May 31, 2016 to fund Region One approved projects in accordance with federal grant guidelines.

BE IT FINALLY RESOLVED, the Administration is authorized to create appropriate accounts and to make the necessary operating transfers for the expenditure and control of the balance of the grant funds.

By Council Member Wood

Motion Carried

RESOLUTION#2016-139

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, The City of Lansing Mayor's Office / Office of Financial Empowerment has received a Consumers Energy Corporate Contribution for "Integrating Financial Counseling with Consumers Energy Payment Assistance Programs"; and

WHEREAS, the Consumers Energy contribution was the result of a written request by the Office of Financial Empowerment, submitted by the Office of Financial Empowerment on November 30, 2015, approved on February 2, 2016, and received on March 8, 2016; and

WHEREAS, the Consumers Energy contribution supports providing free one-on-one financial counseling to Consumers Energy customers who have a history of late payments and/or are enrolled in a payment assistance program; and

WHEREAS, Consumers Energy contributed \$10,000.00 to the City of Lansing's Office of Financial Empowerment; and

WHEREAS, the contribution for \$10,000.00 does not require a local match;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council approves acceptance of the Consumers Energy Corporate Contribution in the total amount of \$10,000.00 for the grant period beginning January 1, 2016 and ending December 31, 2016 for the City

of Lansing.

BE IT FINALLY RESOLVED, the Administration is authorized to create appropriate accounts and to make the necessary operating transfers for the expenditure and control of the balance of the grant funds.

By Council Member Wood

Motion Carried

RESOLUTION#2016-140

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following Human Service amounts from FY 2015 be re-appropriated into FY 2016 and FY 2016 donations be appropriated:

\$162,581.08	Fund Balance (FY 2015 carryforwards)	101.000000.679100.00000
\$67,118.67	Donations	101.000000.675000.00000
\$15,000.00	Human Services Grant Match	101.883710.960205.00000
30,532.70	Community Problem Solving	101.883715.960121.00000
12,371.20	Youth RFP	101.883720.960237.00000
134,104.05	Kids Connect	101.883720.960322.00000
13,070.91	Chronic Homelessness Outreach	101.883730.960062.00000
3,500.00	One Church One Family Housing	101.883730.960305.00000
2,669.18	Mobile Food Pantry	101.883730.960315.00000
3,930.12	Subsidized Eviction Prevention	101.883730.960325.00000
14,521.59	Human Services Discretionary	101.883710.960120.00000

By Council Member Wood

Motion Carried

ORDINANCES FOR INTRODUCTION

Council Member Washington introduced:

An Ordinance of the City of Lansing Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-5-2016; 2918 N East Street; AVMM, LLC Marco's Pizza; "A" Residential District to "F" Commercial District

The Ordinance was read by its title for a first time and referred to the Committee on Planning and Development

RESOLUTION#2016-141

BY THE COMMITTEE ON DEVELOPMENT & PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, July 25, 2016, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-5-2016, 2918 N. East Street from "A" Residential District to "F" Commercial District

ORDINANCES FOR PASSAGE

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

Z-2-2016; Vacant lot west of 3000 Dunkel Road; "CUP" Community Unit Plan to "F" Commercial District

Was read a second time by its title and adopted by the following roll call vote:

Yeas: Council Members Brown Clarke, Dunbar, Spitzley, Washington, Wood, Yorko

Nays: None

ORDINANCE #2593

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number: Z-2-2016

Address: Vacant Property West of 3000 Dunkel Road

Parcel Number: PPN: 33-01-01-35-401-050

Legal Descriptions: That part of the Southeast ¼ of Section 35 lying South of the South line of the Dunkel Road Right-of-Way, Easterly of the Northerly line of Lot 1, Trappers Cove Subdivision No. 1 and North of the Northerly line of Lot 7, Trappers Cove Subdivision No. 5, Except the Easterly 550 Feet Thereof; Section 35, T4N R2W, City of Lansing, Ingham County, MI, from "CUP" Community Unit Plan to "F" Commercial District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance was duly adopted by the Lansing City Council on June 27, 2016, and a copy is available in the office of the Lansing City Clerk, 9th Floor, City Hall, 124 W. Michigan Avenue, Lansing, MI 48933.

Section 4. This ordinance shall take effect upon the expiration of seven (7) days from the date this notice of adoption is published in a newspaper of general circulation.

An Ordinance of the City of Lansing Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-3-2016; Lake Trust Site, "D-1" Professional Office and "F" & "F-1" Commercial to "G-1" Business

Was read a second time by its title and adopted by the following roll call vote:

Yeas: Council Members Brown Clarke, Dunbar, Spitzley, Washington, Wood, Yorko

Nays: None

ORDINANCE#2594

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number: Z-3-2016

Parcel Number's: 33-01-01-16-381-011/-021/-031/-043 and the South 132 Feet of Parcel 33-01-01-16-381-001

Legal Descriptions: Lots 5, 6, 7 & 8, Block 149, Original Plat, City of Lansing, Ingham County, MI, from "D-1" Professional Office, "F" & "F-1" Commercial Districts to "G-1" Business District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance was duly adopted by the Lansing City Council on June 27, 2016, and a copy is available in the office of the Lansing City Clerk, 9th Floor, City Hall, 124 W. Michigan Avenue, Lansing, MI 48933.

Section 4. This ordinance shall take effect upon the expiration of seven (7) days from the date this notice of adoption is published in a newspaper of general circulation.

An Ordinance of the City of Lansing Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-4-2016; South Edge Development, Rezoning from "DM-4" Residential; "F-1" Commercial & "D-1" Professional Office to "G-1" Business District

Was read a second time by its title and adopted by the following roll call vote:

Yeas: Council Members Brown Clarke, Dunbar, Spitzley, Washington, Wood, Yorko

Nays: None

ORDINANCE # 2595

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number: Z-4-2016

Parcel Number's: 33-01-01-16-384-011/-021/-031/-041/-061/081/092

Legal Descriptions: Block 158, Original Plat, except the east 85 feet of Lot 1, Lots 3, 4, the East 2 Rods of Lots 5 & 6 and Commencing at the Northwest Corner of Lot 8, Thence South 68 Feet, East 66 Feet, South 31 Feet, East 49 Feet, North 31 Feet, West 3 Feet, North 68 Feet, West

112 Feet to the point of beginning, City of Lansing, Ingham County, MI, from "D-1" Professional Office, "F-1" Commercial & "DM-4" Residential Districts to "G-1" Business District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance was duly adopted by the Lansing City Council on June 27, 2016, and a copy is available in the office of the Lansing City Clerk, 9th Floor, City Hall, 124 W. Michigan Avenue, Lansing, MI 48933.

Section 4. This ordinance shall take effect upon the expiration of seven (7) days from the date this notice of adoption is published in a newspaper of general circulation.

SPEAKER REGISTRATION FOR PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS

City Clerk Swope announced that the public comment registration form(s) for those intending to address Council on City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.

REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS; COMMUNICATIONS AND PETITIONS; AND OTHER CITY RELATED MATTERS

By Vice President Yorko that all items be considered as being read in full and that President Brown Clarke make the appropriate referrals

Motion Carried

• Reports from City Officers, Boards and Commissions:

1. Letter(s) from the City Clerk re:

- a. Minutes of Boards, Commissions, and Authorities placed on file in the Clerk's Office

RECEIVED AND PLACED ON FILE

2. Letter(s) from the Mayor re:

- a. Grant Acceptance; HUD Lead Hazard Reduction Demonstration Grant

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

- b. SLU-3-2016, Public Utility; 125 W. Malcolm X; Lansing Board of Water & Light; Central Substation Project

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- c. Design Lansing Comprehensive Plan Amendment ; 125 W. Malcolm X-Lansing Board of Water & Light; Central Substation Project

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- d. Act-7-2016; Lansing Board of Water & Light; Authorize Construction of Central Substation Project

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- e. Act-9-2016; Sale of 1020 W. Hillsdale Street to Habitat For Humanity Capital Region (HFHCR); Relocation and Renovation of Scott Center

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND

PLANNING

- f. License Agreement for Zipline at Riverfront Park; Zip the Grand Inc.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

CHRIS SWOPE, CITY CLERK

3. Lansing Board Of Public Service FY 2018 Budget Priorities
REFERRED TO THE COMMITTEE OF PUBLIC SERVICES

- Communications and Petitions, and Other City Related Matters:

1. Letter on behalf of Eric Schertzing, Ingham County Treasurer, regarding local purchase option on tax foreclosed property

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

2. Letter from Hank Frechtling of Locke Township regarding the Scott Sunken Garden

REFERRED TO COMMITTEE OF THE WHOLE

3. Communication from Laura Salzer (no address provided) regarding parks

REFERRED TO THE COMMITTEE ON PUBLIC SERVICE

4. Communication on behalf of Judy Scott Teegardin (no address provided) regarding Scott Sunken Garden

REFERRED TO THE COMMITTEE OF THE WHOLE

MOTION OF EXCUSED ABSENCE

By Council Member Dunbar to excuse Council Members Hussain and Houghton from tonight's proceedings.

Motion Carried

REMARKS BY COUNCIL MEMBERS

Council Member Washington publicly expressed her gratitude for the appointment of Betty Draher and acknowledged her achievements.

Council Member Dunbar spoke about supported documents about Scott Sunken Garden and its history.

**REMARKS BY THE MAYOR
OR EXECUTIVE ASSISTANT**

Executive Assistant to Mayor Bernero, Randy Hannan, had no further comments.

**PUBLIC COMMENT ON
CITY GOVERNMENT RELATED MATTERS**

Billie Jo O'Berry spoke in support of her run for Ingham County Prosecuting Attorney.

Jeff Potter spoke about Scott Sunken Garden and presented a petition.

Claude Beavers spoke about various city matters.

Elaine Wolmbodt spoke about cannabis church debates and Lansing Herbal Farmers Market.

Sharon Burton spoke about concerns of Scott Sunken Garden.

Harold Leeman spoke about pollution at Red Cedar Garden.

ADJOURNED TIME 9:13 P.M.